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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/213,748	12/17/1998	EDWARD G. CALLWAY	0100.01319	6443

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VEDDER PRICE KAUFMAN & KAMMHOLZ
222 N. LASALLE STREET
CHICAGO, IL 60601

EXAMINER

HARRISON, CHANTE E

ART UNIT	PAPER NUMBER
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2672

DATE MAILED: 01/10/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action

Application No.

09/213,748

Applicant(s)

CALLWAY ET AL.

Examiner

Chante Harrison

Art Unit

2672

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

PERIOD FOR REPLY [check either a) or b)]

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.
- b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on _____. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.
2. ☐ The proposed amendment(s) will not be entered because:
- (a) ☐ they raise new issues that would require further consideration and/or search (see NOTE below);
 - (b) ☐ they raise the issue of new matter (see Note below);
 - (c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
 - (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____.

3. ☐ Applicant's reply has overcome the following rejection(s): _____.
4. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
5. ☒ The a) ☐ affidavit, b) ☐ exhibit, or c) ☒ request for reconsideration has been considered but does NOT place the application in condition for allowance because: See Continuation Sheet.
6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.
7. ☒ For purposes of Appeal, the proposed amendment(s) a) ☒ will not be entered or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: 31-37.

Claim(s) objected to: 12, 13, 24 and 25.

Claim(s) rejected: 2-4, 6-11, 14-23, 26-30 and 38.

Claim(s) withdrawn from consideration: _____.

8. ☐ The drawing correction filed on _____ is a) ☐ approved or b) ☐ disapproved by the Examiner.
9. ☐ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____.
10. ☐ Other: _____

Continuation of 5. does NOT place the application in condition for allowance because: of the response to arguments presented in the final office action. Applicant's arguments reference Fujimoto fails to store video graphics in VRAM. The office action cited Fujimoto as storing video graphics in DVD memory and presented the teachings of Porter including storing video graphics in multiple memory formats to render obvious the storing of video graphics in a frame buffer. Applicant presents a different reason for combining the teachings of Fujimoto and Porter. Additionally, Applicant indicate the feature of claim 8 (DAC) is not disclosed. Fujimoto discloses the video graphics output coupled to the PCI bus which includes a DAC, digital to analog converter, to which audio and video is passed (Fig. 8). Applicant indicates the features of claims 9 & 10 (a driver coupled to a scaler for formatting video graphics for display) are not disclosed. Fujimoto teaches a display driver that implements scaling of video graphics to a desired ratio for output to the display (Fig. 18; col. 14, ll. 30-40). Applicant indicates features of claims 15 and 16 (configuring a pixel rate to produce a desired scaling ratio based on the input and output video formats) are not disclosed. Fujimoto teaches the display driver determining the scaling method to achieve the desired aspect ratio based on the incoming graphics and the output display format and forwarding the data to the display controller for scaling (Fig. 18; col. 14 ll. 30-40). Applicant indicates the feature of claim 18 (decompressing graphics) is not disclosed. Fujimoto discloses decoding MPEG data and scaling the data (Fig. 1) as does Applicant (Specification pp.6).



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